

**Amendments to the Claims**

1. (Canceled)

2. (Canceled)

3. (Currently amended) An isolated and purified [A] gene  
~~which contains a DNA coding for a protein comprising an amino acid sequence identical or substantially identical with the amino acid sequence shown under SEQ ID NO:2, or a protein having β-lactam acylase activity and comprising an amino acid sequence having the homology degree with the total amino acid sequence shown under SEQ ID NO: 2 of not less than 90% in total.~~

4. (Currently amended) An isolated and purified [A] gene  
~~which contains a DNA coding for a protein comprising an amino acid sequence shown under SEQ ID NO: 2, in which the 204th methionine in the amino acid sequence shown under SEQ ID NO: 2 is substituted with valine.~~

5. (Canceled)

6. (Canceled)

7. (Currently amended) An isolated and purified [A] gene  
~~which contains a DNA coding for a protein comprising an amino acid sequence shown under SEQ ID NO: 2, in which a signal sequence at the N-terminal site of the amino acid sequence shown under SEQ ID NO: 2 is enzymatically deleted modified after translation and having β-lactam acylase activity.~~

8. (Canceled)

9. (Previously amended) The gene according to claim 3

which is isolated from a microorganism belonging to the genus *Stenotrophomonas*.

10. (Currently amended) An isolated *Stenotrophomonas maltophilia* KNK12A strain. A microorganism which produces a protein comprising an amino acid sequence identical or substantially identical with the amino acid sequence shown under SEQ ID NO:2 and belongs to the genus *Stenotrophomonas*.
11. (Currently amended) An isolated and purified [A] polynucleotide which contains a nucleotide base sequence coding for a protein comprising an amino acid sequence identical or substantially identical with the amino acid sequence shown under SEQ ID NO: 2, or a protein having  $\beta$ -lactam acylase activity and comprising an amino acid sequence having the homology degree with the total amino acid sequence shown under SEQ ID NO: 2 of not less than 90% in total.
12. (Currently amended) An isolated and purified [A] polynucleotide which contains a nucleotide base sequence coding for a protein comprising an amino acid sequence shown under SEQ ID NO: 2, in which the 204th methionine in the amino acid sequence shown under SEQ ID NO:2 is substituted with valine.
13. (Canceled)
14. (Canceled)
15. (Currently amended) An isolated and purified [A] polynucleotide which contains a nucleotide base sequence coding for a protein comprising an amino acid sequence shown under SEQ ID NO: 2, in which a signal sequence at the N-terminal site of the amino acid sequence shown under SEQ ID NO: 2 is enzymatically deleted modified after translation and having  $\beta$ -lactam acylase activity.
16. (Canceled)

17. (Currently amended) An isolated and purified [A] polynucleotide which contains the nucleotide base sequence shown under SEQ ID NO: 1.

18. (Previously amended) The polynucleotide according to Claim 11 which is isolated from a microorganism belonging to the genus *Stenotrophomonas*.

19. (Currently amended) An isolated and purified [A] protein which comprises an amino acid sequence ~~identical or substantially identical with the amino acid sequence~~ shown under SEQ ID NO: 2, or which has  $\beta$ -lactam acylase activity and comprises an amino acid sequence having the homology degree with the total amino acid sequence shown under SEQ ID NO: 2 of not less than 90% in total.

20. (Currently amended) An isolated and purified [A] protein which comprises an amino acid sequence shown under SEQ ID NO: 2, in which the 204th methionine in the amino acid sequence shown under SEQ ID NO: 2 is substituted with valine.

21. (Canceled)

22. (Canceled)

23. (Currently amended) An isolated and purified [A] protein which comprises an amino acid sequence shown under SEQ ID NO: 2, in which a signal sequence at the N-terminal site of the amino acid sequence shown under SEQ ID NO: 2 is enzymatically deleted modified after translation and which has having  $\beta$ -lactam acylase activity.

24. (Currently amended) An isolated and purified [A] gene which contains a transcription regulatory sequence contained in the gene according to Claim 3, wherein the transcription regulatory sequence is a sequence containing 100 bases upstream site from the 125th in SEQ ID NO: 1.

25. (Currently amended) An isolated and purified [A] gene  
which contains a translation regulatory sequence contained in the gene according to  
Claim 3, wherein the translation regulatory sequence is a sequence containing 50 bases upstream  
site from the 125th in SEQ ID NO: 1.

26. (Currently amended) The gene according to Claim 3 under the control of regulon  
containing a transcription and/or translation regulatory sequence,  
wherein either or both of said transcription and/or translation regulatory sequence(s) is  
(are) substituted with other transcription and/or translation regulatory sequence from each  
obtainable by the same or different living organism.

27. (Previously amended) A recombinant vector  
which comprises the gene according to Claim 3.

28. (Currently amended) A transformant  
which is obtainable by transforming a host cell with the recombinant vector according to  
Claim 27.

29. (Currently amended) The transformant according to Claim 28,  
wherein the host cell is a gram-negative microorganism.

30. (Currently amended) The transformant according to Claim 28,  
wherein the host cell is a gram-positive microorganism.

31. (Original) The transformant according to Claim 28  
which is pUCNTkmTn5-KNK-L/HB101 (FERM BP-8362).

32. (Original) The transformant according to Claim 28  
which is pUCNTTn5-MuKNK-L/HB101 (FERM BP-8369).

33. (Previously amended) A method of producing a  $\beta$ -lactam acylase which comprises culturing the transformant according to Claim 28, and recovering a  $\beta$ -lactam acylase produced by said transformant.

34. (Currently amended) An isolated and purified [A]  $\beta$ -lactam acylase which comprises an amino acid sequence coded by the polynucleotide according to Claim 11.

35. (Currently amended) An immobilized  $\beta$ -lactam acylase which is obtainable by culturing the strain microorganism according to Claim 10, and immobilizing the cell, cell mixed culture, cell disrupted product, or a  $\beta$ -lactam acylase extracted and/or purified from the strain cell.

36. (Currently amended) A method of producing a  $\beta$ -lactam acylase in a transformant or of enhancing the production which comprises preparing the recombinant vector according to Claim 27, transforming a host cell with said recombinant vector, cloning the obtained transformant, and selecting it.

37. (Original) A method of producing a  $\beta$ -lactam antibiotic by using the  $\beta$ -lactam acylase according to Claim 34.

38. (Original) The method according to Claim 37, wherein the  $\beta$ -lactam antibiotic is amoxycillin.

39. (Currently amended) An immobilized  $\beta$ -lactam acylase which is obtainable by culturing the transformant according to Claim 28, and immobilizing the cell, cell mixed culture, cell disrupted product, or a  $\beta$ -lactam acylase extracted and/or purified from the transformant cell.